

**APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**July 28, 2005 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:30 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Larry Lawver
Bill Fahey
Grace Chewning
Stewart Fritz

Members Excused: Jay Ammon, Vice Chair
Gerald Ames

Present & Sworn: Judy Simms & Trevor Bollers, Respondents, 05-45-CEB
John D. Daniels, Respondent, 04-49-CEB
Terri L. Kilmer, Respondent, 04-51-CEB
Van R. Ehlenfield, Respondent, 05-52-CEB
George Diaz, Respondent, 04-26-CEB
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Jerry Robertson, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Joann Davids, Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO

Others Present: Daniel F. Mantzaris, Code Enforcement Board Attorney
Connie R. DeVasto, Clerk to the Code Enforcement Board

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IV Swearing in of Witnesses

Alan Bowling, Witness, 05-49-CEB
Robert Burks, Witness, 05-51-CEB

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V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

MOTION BY STEWART FRITZ, SECONDED BY BILL FAHEY TO APPROVE THE PUBLISHED AGENDA.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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The following cases will not be heard today:

C & K Property Holdings, 05-43-CEB, Continued by Staff
Malcolm & Janet McGinness, 05-46-CEB, Complied prior to hearing
William & Peggy Llewellyn, 05-48-CEB, Complied prior to hearing
Michael & Patricia Taylor, 05-29-CEB, Continued by Staff
Jan & Bozena Hyla, 05-35-CEB, Complied prior to hearing
Fertakis International, 05-37-CEB, Continued by Staff

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 28, 2005

Case No 05-45-CEB
Judy D. Simms and
Trevor J. Bollers
Deputy Building Official: Tom Helle

New Case

Violation Charged: Seminole County Code, Section 40.7.
Described as: 1) Failure to meet the required setback distance for the installation of an air conditioning condensing unit. Required setback is zero feet: unit was installed one foot, six inches (1' 6") over property line.
Location: 104 W. York Ct., Longwood (Commission District 3)
Tax Parcel ID # 05-21-29-512-0000-0140

Tom Helle, Deputy Building Official, testified on behalf of the County and entered into evidence photographs of the violation.

Mr. Helle advises that recommendation would be to relocate the A/C unit by October 1, 2005 with a fine of \$50.00 per day if the Respondent does not comply by that date.

Dan Mantzaris, Code Board Attorney, stated that if the A/C unit is on both properties, it would seem that both property owners should be sited for this violation. Mr. Mantzaris also gave the Board a description of what the term 'setback' means and how it relates to this case.

Trevor J. Bollers, Respondent, testified on his behalf and read a statement that he and Judy Simms prepared regarding this case.

Mr. Mantzaris advised the Board on the legal issues mentioned in Mr. Bollers' statement.

Bill Fahey asked Tom Helle if having the A/C unit located in its present location would cause a fire hazard. Mr. Helle advised that it would not.

Larry Lawver asked why this case was being presented to the Code Board.

General discussion of this case by the Board and Mr. Mantzaris.

The Board asked Mr. Helle how he was made aware of this issue. Mr. Helle advised that the former neighbor of the Respondents made a complaint.

After discussion of this case by the Board:

**MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-45-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 05-21-29-512-0000-0140) located at 104 W. York Court, Longwood, located in Seminole County and legally described as follows:
LEG LOT 14 WEKIVA GOLF VILLAS SEC 2
PB 23 PGS 39 & 40
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Section 40.7.

It is hereby ordered that the Respondents correct the violation on or before **October 1, 2005**. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) RELOCATE THE CONDENSING UNIT TO MEET THE ZERO FOOT SETBACK THAT IS REQUIRED OR SEEK OTHER APPLICABLE REMEDIES AVAILABLE TO THEM.**

If the Respondents do not comply with the Order, a fine of **\$50.00** will be imposed for each day the violation continues, or is repeated after compliance past **October 1, 2005**. **The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No 05-49-CEB
John D. Daniels
Code Enforcement Officer: Pamela Taylor
Complaint No: 2005CE000573

New Case

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.122, 30.123 and 30.124.

Described as: 1) Operating a business in an agricultural zone that is not a permitted or limited use or a use allowed by Special Exception.

Location: 4300 Nolan Rd., Sanford (Commission District 5)
Tax Parcel ID # 14-20-30-300-030A-0000

Pamela Taylor, Code Enforcement Officer, testified on behalf of the county and entered into evidence photographs of the violation. Officer Taylor further testified that she inspected the property this morning and the violation remains.

Officer Taylor advised that there is a neighbor of the Respondent present at the hearing and she would like the witness to testify.

Mr. Alan Bowling, witness, testified on his behalf and advised the Board that he lives next door to the Respondent and their neighborhood is a residential area and he does not want to see a business being operated next to his property. Mr. Bowling further testified that he has seen as many as 14 cars, 8 motor homes and 2 boats on this property at one time.

Mr. Bowling further advised the Board that he has witnessed people coming to the Respondent's property and purchasing vehicles.

Deborah Leigh, Senior Code Enforcement Officer, read a letter from another neighbor who would like the Respondent to stop this activity.

John Daniels, Respondent, testified on his behalf and entered into evidence photographs of his property. Mr. Daniels further testified that he has never put a for sale sign on any vehicle and does not sell vehicles from this property.

Bill Fahey asked the Respondent why he has all these vehicles on his property and Mr. Daniels advised that he is storing some of them for friends. He further advised that he does not repair or sell any vehicle on this property.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Larry Lawver asked the Respondent if he operates a business from this property and the Respondent answered no.

Bill Fahey asks Officer Taylor if the storage of vehicles on this property is allowed per the zoning.

Officer Taylor advised that is it not.

The Board discussed vehicle title issues and the storage and extension of a business in this type of zoned area.

Officer Taylor stated that recommendation would be to cease all business activities at this location. Cease parking or storing recreational vehicles, motor homes, boats, cars or trucks for sale at this location or for sale at other locations with a compliance date of August 26, 2005 and a fine of \$250 per day if the Respondent does not comply by that date.

MOTION BY BILL FAHEY TO ACCEPT STAFF RECOMMENDATION.

This motion died for lack of a second.

**MOTION BY LARRY LAWVER, SECONDED BY BILL FAHEY THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-49-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 14-20-30-300-030A-0000) located at 4300 Nolan Road, Sanford, located in Seminole County and legally described as follows:
 - SEC 14 TWP 20S RGE 30E BEG 277.63 FT N OF SE COR
 - OF NE ¼ OF SE ¼ RUN N 270.64 FT N 62 DEG 18 MI 26
 - SEC W 221.17 FT TO SELY R/W SR 427 SWLY ALONG
 - R/W TO A PT N 59 DEG 44 MIN 50 SEC W OF BEG S 59
 - DEG 44 MIN 50 SEC E 418.54 FT TO BEG (LESS RDS)
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Section 30.122, 30.123, and 30.124.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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It is hereby ordered that the Respondent correct the violation on or before **August 26, 2005**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) CEASE AND DESIST FROM STORING AND/OR PARKING ANY VEHICLE NOT PERSONALLY TITLED IN RESPONDENT'S NAME.**

If the Respondent does not comply with the Order, a fine of **\$250.00** will be imposed for each day the violation continues, or is repeated after compliance past **August 26, 2005**. **The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Case No 05-51-CEB
Terri L. Kilmer
Code Enforcement Officer: Jerry Robertson
Complaint No: 2004CE001756

New Case

Violation Charged: Seminole County Land Development Code, Chapter 30, Section 30.102, 30.103 and 30.104.
Described as: 1) Mobile home with no special exception.
Location: 2050 Jackson Ct., Geneva (Commission District 5)
Tax Parcel ID # 32-19-32-300-0140-0000

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Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Robertson further testified that the Respondent has a gutted mobile home on the property as well as a travel trailer that was being occupied. He also advised that in April, the Respondent placed an additional mobile home on the property as a replacement for the gutted one.

Officer Robertson advised that recommendation would be to remove the original (gutted) mobile home, obtain permits for the additional mobile home and cease occupying the travel trailer by August 28, 2005 with a fine of \$100.00 per day if Respondent does not comply by that date.

Robert Burks, witness, testified on behalf of the Respondent and advised that they having the old mobile home removed and working on getting the rest of the problems taken care of. He further testified that they are in the process of pulling the permits as well.

The Board asked the Respondent, Terri Kilmer, and the witness, Robert Burks, if a compliance date in August would give them enough time to comply and they advised that September would be better.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY STEWART FRITZ THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-51-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 32-19-32-300-0140-0000) located at 2050 Jackson Court, Geneva, located in Seminole County and legally described as follows:
 - LEG SEC 32 TWP 19S RGE 32E GOVT LOT 4 (LESS
W 660 FT + E 220 FT + BEG 703.7 FT E + 565.15 FT N
OF SW COR GOVT LOT 4 RUN E 265 FT S 210 FT W 265
FT N 210 FT TO BEG + BEG 660 FT E + 845.15 FT N OF
SW COR GOVT LOT 4 RUN N 309.53 FT N 26 DEG 2 MIN
50 SEC E 320.23 FT S 60 DEG E 132 FT S 54 DEG E 53.24
FT S 152.43 FT S 46 DEG 30 MIN 40 SEC W 332.35 FT S 100
FT W 43.7 FT TO BEG)
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Land Development Code, Chapter 30, Section 30.102, 30.103 and 30.104.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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It is hereby ordered that the Respondent correct the violation on or before **September 30, 2005**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REMOVE ORIGINAL MOBILE HOME, OBTAIN ALL PERMITS FOR THE REPLACEMENT MOBILE HOME. CEASE LIVING IN TRAVEL TRAILER AND DISCONNECT ALL UTILITIES.**

If the Respondent does not comply with the Order, a fine of **\$100.00** will be imposed for each day the violation continues, or is repeated after compliance past **September 30, 2005**. **The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Case No 05-52-CEB
Van R. Ehlenfield
Code Enforcement Officer: Jerry Robertson
Complaint No: 2005CE000556

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicles not kept within an enclosed garage or an attached carport.
Location: 131 Langford Dr., Oviedo (Commission District 1)
Tax Parcel ID # 21-21-32-5CF-0F00-0080

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Jerry Robertson, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the junk vehicle violation. Officer Robertson further testified that the Respondent is making steady progress but has not totally cleaned up the violation.

Officer Robertson stated that recommendation would be to comply by August 28, 2005 with a fine of \$100.00 per day if the Respondent does not comply by that date.

Van R. Ehlenfield, Respondent, testified on his behalf and advised the Board he has approximately 15 cars still on the property that need to be removed. The Respondent also requested that he be given 90 days to comply.

After discussion of this case by the Board:

**MOTION BY STEWART FRITZ, SECONDED BY GRACE CHEWNING THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-52-CEB, it is determined that the Respondents are:

- (a) the owner of record of the property (Tax Parcel ID # 21-21-32-5CF-0F00-0080) located at 131 Langford Drive, Oviedo, located in Seminole County and legally described as follows:
LEG LOTS 8 9 10 + 11 BLK F NORTH CHULUOTA
PB 2 PG 54 TO 58
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(l).

It is hereby ordered that the Respondent correct the violation on or before **October 28, 2005**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY JUNKED OR ABANDONED VEHICLE THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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If the Respondent does not comply with the Order, a fine of **\$100.00** will be imposed for each day the violation continues, or is repeated after compliance past **October 28, 2005**. **The Respondent are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Case No: 04-26-CEB
Anabelle & George W. Diaz
Code Enforcement Officer: Joann Davids
Complaint No: 2004CE000224

The Board continued this case to the July hearing on May 19, 2005. This case was heard by the Board on May 20, 2004 and an Order was entered giving the Respondents a compliance date of June 20, 2004. An Affidavit of Non-Compliance was filed by the Code Officer stating the violations remained as of June 22, 2004. An Affidavit of Compliance was filed by the Code Officer stating that the Respondents were in compliance on June 29, 2004. This property is not in compliance at this time.

Recommendation: The Board issue an Order constituting a lien in the amount of **\$1,750.00**, for 7 days of non-compliance from June 21, 2004 through and including June 28, 2004, at \$250.00 per day and the Clerk will record this Order in the public records.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(e)(g)(j)(p).
Described as: 1) Unusable or abandoned furniture.
2) Trash and debris.
3) Used or scrap building materials.
4) Other objectionable, unsightly or unsanitary matter, substance or material tending by its existence and or accumulation to endanger or adversely effect the health, safety, lives and or welfare of the citizens of the County.
Location: 120 Meadowfield Lane, Altamonte Springs (Commission District 3)
Tax Parcel ID # 03-21-29-504-0D00-0080

Joann Davids, Code Enforcement Officer, testified on behalf of the County and advised the Board that the recommendation would be to impose a lien in the amount of \$1,750.00 and also, add administrative costs in the amount of \$313.00.

George Diaz, Respondent, testified on his behalf and advised the Board that there was a misunderstanding regarding his violations in that he was not sure what was a violation.

The Board asked Officer Davids how compliance was obtained. Officer Davids advised the Board that on June 22, 2004, during the reinspection for compliance of the Board's order, Mr. Diaz asked her to make him a list of each item that needed to be removed. Officer Davids pointed to approximately 200 items that needed to be removed, giving Mr. Diaz the opportunity to write them down. Mr. Diaz refused. Officer Davids reinspected the property on June 27 and June 28 and the violations remained. On June 29, 2004, Officer Davids reinspected the property and found the property in compliance.

After discussion of this case by the Board:

Motion by Larry Lawver, seconded by Grace Chewning to accept staff's recommendation.

Motion by Bill Fahey to add the administrative costs to the recommendation.

This motion dies for lack of a second.

**MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING THAT
THE ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN BE:**

ORDER FINDING COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel ID # 03-21-29-504-0D00-0080) located at 120 Meadowfield Lane, Altamonte Springs located in Seminole County and legally described as follows:

LEG LOT 8 BLK D GOLF VIEW ESTATES SECTION
OF MEREDITH MANOR UNIT 1, PB 13 PG 20

This case came on for public hearing before the Code Enforcement Board of Seminole County on May 20, 2004 after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(e)(g)(j)(p).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondents did not take certain corrective action by June 20, 2004.

An Affidavit of Non-Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had not been obtained as of June 22, 2004.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had been obtained as of June 29, 2004.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated May 20, 2004, the Board orders that a fine of **\$1,750.00**, for 7 days of non-compliance at \$250.00 per day from June 21, 2004 through and including June 28, 2004, is imposed against the property.

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – NO
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 4 – 1.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No: 01-05-CEB
Katherine Cuyler
Code Enforcement Officer: Dorothy Hird
Complaint No: 2000-07068

This is a repeat violation. The Board heard the original violation on January 25, 2001 and entered an Order. The Respondent complied with the original violation on February 16, 2001. The Code Enforcement Officer filed an Affidavit of Repeat Violation stating that as of May 24, 2005, the Respondent had repeated the violation. This property is presently in compliance at this time.

Recommendation: The Board issue an Order constituting a Fine on a Repeat Violation of the Findings of Fact, Conclusions of Law and Order dated January 25, 2001 for **\$2,000.00**, for 20 days of non-compliance at \$100.00 per day from May 24, 2005 through and including June 13, 2005 and the Clerk shall record this Order in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(l).
Described as: 1) Accumulation of trash and debris.
2) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 1088 William St., Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-509-0000-0030

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that the Respondent was not able to attend the meeting. Officer Hird further testified that the Respondent asked if she would make a request of the Board on her behalf to rescind her fine. The Respondent is not able to pay the fine.

The Board asks Officer Hird if she has calculated her administrative costs in this case and she advised that the costs would be approximately \$20.00.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel ID# 18-21-30-509-0000-0030) located at located at 1088 William Street, Altamonte Springs located in Seminole County and legally described as follows:

LEG N 50 FT OF S 150 FT OF W 110 FT OF LOT 3
FROSTS ADD NO 2 TO ALTAMONTE PB 1 PG 13

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 25, 2001, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondent in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(g)(l).

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by February 15, 2001. Compliance was obtained on February 16, 2001.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of May 24, 2005.

An Affidavit of Compliance After Repeat Violation, has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent as of June 13, 2005.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated January 24, 2001.

Therefore, the Board finds that the Respondent was in repeat violation and orders that the fine in the amount of **\$2,000.00**, for 20 days of non-compliance from May 24, 2005 through June 13, 2005 at \$100.00 per day **be reduced to \$100.00**.

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Case No: 04-18-CEB
Mary B. Morse Life Estate
Ella M. Mandy Heirs
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003-000208

This is a repeat violation. The Board heard the original violation on February 19, 2004 and entered an Order. The Respondent complied with the original violation on March 15, 2004. The Code Enforcement Officer filed an Affidavit of Repeat Violation stating that as of May 18, 2005, the Respondent had repeated the violation. This property is presently in compliance at this time.

Recommendation: The Board issue an Order constituting a Fine on a Repeat Violation of the Findings of Fact, Conclusions of Law and Order dated February 19, 2004 for **\$800.00**, for 16 days of non-compliance at \$50.00 per day from May 18, 2005 through and including June 3, 2005 and the Clerk shall record this Order in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 307 Magnolia Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 12-21-29-5BD-1200-0120

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that the recommendation would be to impose a fine in the amount of \$800.00.

The Respondents were not present at this hearing.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON REPEAT
VIOLATION PRESENTLY IN COMPLIANCE BE:**

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondents are the owners of record of the property (Tax Parcel ID# 12-21-29-5BD-1200-0120) located at located at 307 Magnolia Street, Altamonte Springs located in Seminole County and legally described as follows:

LEG LOTS 12 + 13 BLK 12 SANLANDO
PB 3 PG 66

This case came on for public hearing before the Code Enforcement Board of Seminole County on February 19, 2004, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondents in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by March 5, 2004. Compliance was obtained on March 14, 2004.

An Affidavit of Repeat Violation has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the violation was being repeated as of May 18, 2005.

An Affidavit of Compliance After Repeat Violation, has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of June 3, 2005.

Based on the testimony and evidence presented, the Respondents were in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated February 19, 2004.

Therefore, the Board finds that the Respondents were in repeat violation and orders that a fine in the amount of **\$800.00**, for 16 days of non-compliance from May 18, 2005 through June 3, 2005 at \$50.00 per day **be reduced to \$100.00**.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 28, 2005

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

.....
Case No 05-44-CEB
Arthur Mandy, Jr. &
Arthur Mandy, III
Code Enforcement Officer: Dorothy Hird
Complaint No: 2005CE000367

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g)(l) and Seminole County Land Development Code, Chapter 30, Section 30.182.
Described as: 1) Accumulation of trash and debris.
2) Junked or abandoned vehicles not being kept within an enclosed garage or an attached carport.
3) Storage of vehicles on R-1 zoned property.
Location: East Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 12-21-29-5BD-1200-0090

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations.

The Respondents were not present at this hearing.

Officer Hird stated that recommendation would be to comply by August 26, 2005 with a fine of \$50.00 per day if the Respondents do not comply by that date.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-44-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 12-21-29-5BD-1200-0090) located at East Street, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOT 9 BLK 12 SANLANDO PB 3 PG 66
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(l) and Seminole County Land Development Code, Chapter 30, Section 30.182.

It is hereby ordered that the Respondents are:

(1) In compliance with Section 95.4, as defined in 95.3(l), junked or abandoned vehicles, as of this date (July 28, 2005); however, if this violation is repeated, a fine of **\$50.00** per day will be imposed for each day the violation is repeat after July 28, 2005 and;

(2) In violation of the remaining two violations and are hereby ordered to correct the violations on or before **August 26, 2005**. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS.**
- 2) CEASE AND DESIST FROM STORING VEHICLES (WHICH IS NOT A PERMITTED USE) ON AN R-1 ZONED PROPERTY.**

If the Respondents do not comply with the Order, a fine of \$50.00 will be imposed for each day the violations continue, or are repeated after compliance past **August 26, 2005**. **The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 28, 2005

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exist and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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Case No 05-50-CEB
Sergio Berezovsky
Code Enforcement Officer: Joann Davids
Complaint No: 2005CE000572

New Case

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g)(h).
Described as: 1) Accumulation of trash and debris.
2) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
Location: 9409 Via Palma Ceia, Apopka (Commission District 3)
Tax Parcel ID # 19-21-29-505-0000-0050

Joann Davids, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations.

The Respondent was not present at this hearing.

Officer Davids advised the Board that she inspected the property yesterday and the Respondent was in compliance at that time. She further advised that she would like an order stating that the Respondent was in violation as this is a recurring violation.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY STEWART FRITZ THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 05-50-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 19-21-29-505-0000-0050) located at 9409 Via Palma Ceia, Apopka, located in Seminole County and legally described as follows:
LEG LOT 5 BEAR LAKE HEIGHTS BLK C PB 10 PG 20
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3(g)(h).

It is hereby ordered that the Respondent is presently in compliance. In order to remain in compliance, the Respondent shall take the following remedial action:

- 1) CEASE AND DESIST FROM HAVING ACCUMULATION OF TRASH AND DEBRIS.**
- 2) CEASE AND DESIST FROM HAVING UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT, WITHIN 75' OF A STRUCTURE.**

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 28, 2005

Case No 01-114-CEB
Ricky L. Moreley
Code Enforcement Officer: Joann Davids
Complaint No: 2001-8019

Request by Staff to rescind the Findings of Fact, Conclusions of Law and Order entered by the Board on December 6, 2001. This case was brought back to the Board for imposition of a lien but the lien was never recorded in the public records and the property was sold for taxes to a new owner.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(h).
Described as: 1) Uncultivated vegetation in excess of 24" in height, within 75' of a structure.
Location: 185 Lakeshore Dr., Altamonte Springs (Commission District 5)
Tax Parcel ID # 03-21-29-505-0100-0080

Joann Davids, Code Enforcement Officer, testified on behalf of the County and advised the Board of the issues in this case.

After discussion of this case by the Board, it was a unanimous decision that the original Findings of Fact, Conclusions of Law and Order was a valid document and shall remain as recorded.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 28, 2005

Case No 05-26-CEB
Gary S. & Henrietta D. Wattman
Code Enforcement Officer: Donna Wisniewski
Complaint No: 2004CE001700

Request by Respondents (via letter) to rescind the fine in the amount of \$2,250.00 for 30 days of non-compliance from May 14, 2005 through and including June 12, 2005. Respondents are not able to attend hearing due to health issues. This property is presently in compliance at this time.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 2133 Amador Place, Oviedo (Commission District 1)
Tax Parcel ID # 20-21-31-5KP-0D00-2400

Donna Wisniewski, Code Enforcement Officer, testified on behalf of the County and advised the Board that, due to medical problems, the Respondents could not be present at this hearing. Officer Wisniewski further advised the Board that the Respondents have made a request to rescind the fine.

Officer Wisniewski further testified that Staff would not oppose the Respondents' request to rescind.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY LARRY LAWVER, THAT THE ORDER RESCINDING FINE BE:

ORDER RESCINDING FINE

The Respondents are the owners of record of the property (Tax Parcel ID # 20-21-31-5KP-0D00-2400) located at 2133 Amador Place, Oviedo, located in Seminole County and legally described as follows:

LEG LOT 240 BLK D TUSKA RIDGE UNIT 2
PB 40 PGS 66 TO 68

This case came on for public hearing before the Code Enforcement Board of Seminole County on April 28, 2005, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 28, 2005

Said Order found the Respondents in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(g)(l).

Said Order stated that a fine in the amount of \$75.00 per day would be imposed if the Respondents did not take certain corrective action by May 13, 2005.

An Affidavit of Non-Compliance had been filed with the Board by the Code Officer, which Affidavit certified under oath that the corrective action had not been taken by the Respondents as of May 16, 2005.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondents as of June 13, 2005.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated April 28, 2005, the Board orders that the fine of **\$2,250.00**, for 30 days of non-compliance from May 14, 2005 through June 12, 2005 at \$75.00 per day imposed against the property, **be rescinded**.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 28, 2005

Case No: 01-08-CEB
George & Shirley Reed
Code Enforcement Officer: Dorothy Hird
Complaint No: 2000-05357

This was a repeat violation. The Board heard the repeat violation on October 25, 2001 and entered an Order. The Respondent complied with the Order on the repeat violation on November 14, 2001. The Code Board reduced the fine of \$600.00 to \$178.00 on February 28, 2002, and further ordered that the reduced amount be paid within 30 days or the fine would revert back to the original fine of \$600.00. The Respondents did not pay the reduced amount within the time specified by the Board.

Recommendation: The Board issue an Order constituting a lien on a Repeat Violation of the Findings of Fact, Conclusions of Law and Order dated October 25, 2001 for **\$600.00**, for 12 days of non-compliance from November 1, 2001 through and including November 13, 2001, and the Clerk will record this Order in the public records.

Violation charged: Section 95.4 as defined in Section 95.3(g)(l) & (p).
Described as: 1) Accumulation of trash and debris.
2) Junked or abandoned vehicles not within an enclosed garage or carport.
3) Objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the County on subject property.
Location: 106 Plymouth Avenue, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-505-0A00-0080

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel ID #07-21-30-505-0A00-0080) located at 106 Plymouth Ave, Altamonte Springs, Florida, located in Seminole County, and legally described as follows:

LEG LOT 8 BLK A HARMONY HOMES PB 13 PG 35

This case came on for public hearing before the Code Enforcement Board of Seminole County on the 25th day of October 2001, after due notice to the Respondents.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 28, 2005

The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order on a Repeat Violation.

Said Order found Respondents in violation of Section 95.4, as defined in Sections 95.3(g)(l)(p), Seminole County Code.

Said Order required Respondents to take certain corrective action by November 1, 2001.

Said Order stated that a fine of \$50.00 per day would be imposed if Respondents did not take certain corrective action by the date set for compliance.

An Affidavit of Compliance After Repeat Violation bearing the date of November 27, 2001, has been filed with the Board by the Code Inspector, which Affidavit certifies under oath that the required action has been taken as ordered.

Accordingly, it having been brought to the Board's attention that Respondents were in repeat violation of the Order dated October 25, 2001, the Board orders that a fine in the amount of **\$600.00** be imposed against the property for 12 days of non-compliance at \$50.00 per day.

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondents.

DONE AND ORDERED this 28th day of July 2005, in Seminole County, Florida.

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

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VII Approval of the minutes from the meeting of June 23, 2005.

MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING TO APPROVE THE MINUTES FROM THE MEETING OF JUNE 23, 2005.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 28, 2005

**TOM HAGOOD – YES
BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
GRACE CHEWNING – YES**

MOTION CARRIED 5 – 0.

- VIII Confirmation date of next meeting: August 25, 2005**
- IX Old Business – None**
- X New Business – Bill Fahey advised the Board of his concern with the trend he sees in the Board rescinding too many fines.**
- XI Adjourn – There being no further discussion, this meeting was adjourned at 3:18 p.m.**

Respectfully submitted:

**/s/ Connie R. DeVasto
Connie R. DeVasto
Clerk to the Code Enforcement Board**

**/s/ Tom Hagood
Tom Hagood
Chair**

07-28-05 minutes